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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,935	08/30/2002	Garrett Storm Dunker		3621

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GARRETT STROM DUNKER  
36 STRAWBERRY ST #21  
PHILADELPHIA, PA 19106

EXAMINER

WARD, AARON S

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/064,935

Applicant(s)

DUNKER, GARRETT STORM

Examiner

Aaron S. Ward

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2002.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-5 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 30 August 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claims 3 and 4 are objected to because of the following informalities: Lines 3-4 of claims 3 and 4 recite “a touchpad, said touchpad.” “Said touchpad” of claims 3 and 4 lacks antecedent basis because it is not clear whether said touchpad refers to “a touchpad” recited in the claims 3 and 4, or, if it refers to the single larger touchpad recited in parent claim 1.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Santilli, U.S. Patent No. 5,675,361.

As to claim 1, Santilli teaches a touchpad network 15 (Fig. 1) comprising: (a) a plurality of touchpads (col. 5 lines 28-31); (b) a method for networking said touchpads (coupling the plurality of touchpads to a sensor; col. 5 lines 25-28) to perform as a single larger touchpad (abstract lines 3-5).

As to claims 3 and 4, Santilli teaches a human computer keyboard interface device 12 (Fig. 1) combined with the touchpad network 15 of claim 1, comprising: (a) a plurality of keyboard keys 15, a portion/each of said keyboard keys (Santilli teaches that a subset or more than one subset of keys forms the group of keys having touchpads [col. 3 lines 61-63]; further, it is preferred that any key between the keys of the group can be a member of the group [i.e., more than the subsets/all keys col. 3 lines 63-65]; and increasing the size of the subset group of keys to encompass all keys is preferred for increasing control accuracy [col. 3 lines 7-11]) coupled to a touchpad, said touchpad being the top surface of said keys (col. 5 lines 23-31); (b) a method indicating to a computer and display screen a distinguishable difference in user patterns for keyboarding input (i.e., pressing the keys such that they are displaced downward) and cursor input (col. 6 line 35 – col. 7 line 19) such that said keyboarding input does not interfere with said cursor input and said cursor input does not interfere with said keyboarding input (col. 7 line 22 – col. 8 line 6).

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 2 and 5 are rejected under 35 U.S.C. 102(a) as being anticipated by Woolley, U.S. Publication No. 2003/0016211.

As to claim 2, Woolley teaches a touchpad 21 (Fig. 1), coupled to a computer 23 and display screen 25, comprising: (a) a first input controlling mode (“glide” mode; ¶0038), said first

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controlling mode dictates cursor movement on said display screen via a dragging motion across the surface of said touchpad (§0038); (b) a second input controlling mode (“touch” mode; §0038), said second controlling mode assigns specific input functions to specific locations 29 on said touchpad (§0038); where said specific input functions are initiated by tapping said specific location on said touchpad (§0037), and said tapping action and said corresponding specific input functions do not interfere with the input of said dragging motion and said corresponding cursor movement (§0038), and said dragging motion and said corresponding cursor movement does not interfere with said tapping action and said corresponding specific input functions (§0038).

As to claim 5, Woolley teaches that the second input controlling modes' (“touch” modes’) said specific input functions are those of a typing keyboard functions (§0052) and comprising: (a) a plurality of keyboard key outlines (Fig. 6), each of said keyboard keys outlines located on the surface of said touchpad interface device, and said tapping action within said outlines equates the function of the corresponding keyboard key input (§0052); (b) a method indicating to said computer and display screen a distinguishable difference in user patterns for keyboarding input and cursor input (lines 14-18 of §0052) such that said keyboarding input does not interfere with said cursor input and said cursor input does not interfere with said keyboarding input (intelligently distinguishes between “glide” and “touch” modes as taught in §0038).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Caldwell, U.S. Patent No. 6,310,611 teaches a touchpad network comprising a plurality of touchpads.

Binstead, U.S. Patent No. 6,137,427 teaches a touchpad network comprising a touch keyboard.

Shetter, U.S. Publication No. 2003/0197687 teaches a touchpad comprising a touch keyboard.


Karidis et al., U.S. Patent No. 6,727,894 teaches a touchpad being on the top surface of a set of keyboard keys.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron S. Ward whose telephone number is (703) 305-8992. The examiner can normally be reached on Monday - Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven J. Saras can be reached on (703) 305-9720. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ASW

  
DENNIS-DOON CHOW  
PRIMARY EXAMINER